



Docket No.: 58069-CON (47126)  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Gregor Cevc

Application No.: 09/887,493

Confirmation No.: 7718

Filed: June 22, 2001

Art Unit: 1655

For: IMPROVED FORMULATION FOR  
TOPICAL NON-INVASIVE APPLICATION  
IN VIVO

Examiner: S. D. Coe

**INFORMATION DISCLOSURE STATEMENT (IDS)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement, pursuant to 37 CFR 1.114(c), accompanies the Request for Continued Examination (37 CFR 1.114) submitted herewith.

An English language translation for non-English language references BA, BE-BG, CA, CN-CO, CQ-CT is enclosed.

Applicant has not submitted copies of each cited U.S. patent and U.S. patent application as required by 37 CFR 1.98(a)(2)(i), amended October 2004, as the U.S.

Patent and Trademark Office has waived this requirement for all U.S. patent applications. Applicant submits herewith copies of foreign and non-patents in accordance with 37 CFR 1.98(a)(2).

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 04-1105, under Order No. 58069CON(47126). A duplicate copy of this paper is enclosed.

Dated: April 25, 2006

Respectfully submitted,  
By  
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Substitute for form 1449A/B/PTO

**INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet	1	of	3	Attorney Docket Number	58069-CON (47126)
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**U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
AA*	US-4,427,670	01-24-1984	Ofuchi, et al.		
AB*	US-4,814,161	03-21-1989	Jinks, et al.		
AC*	US-4,333,927	06-08-1982	Ofuchi, et al.		
AD*	US-6,835,392-B2	12-28-2004	Hsu, et al.		
AE*	US-6,562,370-B2	05-13-2003	Luo, et al.		
AF*	US-6,582,724-B2	06-24-2003	Hsu, et al.		
AG*	US-6,645,520-B2	11-11-2003	Hsu, et al.		
AH*	US-6,586,000-B2	07-01-2003	Luo, et al.		
AI*	US-2002/0048596-A1	04-25-2002	Cevc		

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				
BA	WO-97/21428		06-19-1997	VESIFACT AG		✓
BB	WO-95/35095		12-28-1995	YESSUM RESEARCH DEVELOPMENT COMPANY		
BC	WO-81/02673		10-01-1981	Key Pharmaceuticals, Inc		
BD	DE-40 26 833.0		08-24-1990		Priority document of BF	
BE	EP 0 102 324		07-25-1983	CIBA-GEIGY AG		✓
BF	EP 0 475 160		08-23-1991	G. Cevc		✓
BG	DE 44 47 287		11-07-1996			✓
BH	EP-0 995 435		04-26-2000	SENJU PHARMACEUTICAL CO., LTD.		
BI	EP-0 355 095		08-04-1993	THE LIPOSOME COMPANY, INC.		
BJ	EP-0 382 716		01-28-1998	WARNER-LAMBERT CO.		
BK	HU-9903363		03-28-2000		English abstract; corresponds to US 2002/0048596	
BL	HU-0104424		03-28-2002		English abstract; corresponds to WO 00/38653	
BM	HU-0105400		05-29-2002		English abstract; corresponds to WO 00/44350	
BN	WO-00/44350		08-03-2000			
BO	WO-00/38653		07-06-2000	IDEA INNOVATIVE DERMAL APPLICATIONEN GMBH		
BP	WO-92/22292		12-23-1992	SCHWARZ PHARMA AG	English abstract	
BQ	WO-00/25822		05-11-2000	John C. GRASELA, et al.		
BR	WO-02/11683		02-14-2002	DOW PHARMACEUTICAL SCIENCES		

Examiner Signature	Date Considered
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Substitute for form 1449A/B/PTO				<b>Complete if Known</b>	
				Application Number	09/887,493-Conf. #7718
				Filing Date	June 22, 2001
				First Named Inventor	Gregor Cevc
				Art Unit	1654
				Examiner Name	S. D. Coe
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		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				
BS	WO-01/12155		02-22-2001	LIPOCINE, INC.		
BT	WO-02/07767-A2		01-31-2002	ALCON UNIVERSAL LTD.		
BU	WO-98/07414		02-26-1998	RESEARCH TRIANGLE PHARMACEUTICALS LTD.		
BV	WO-00/13684		03-16-2000	LOMA LINDA UNIVERSITY MEDICAL CENTER		
BW	WO-01/01963		01-11-2001	IDEA AG		
BQ	WO-96/29999		10-03-1996	HEXAL AG	English abstract	
BY	WO-94/26257		11-24-1994	LTS LOHMANN THERAPIE- SYSTEME GMBH & CO.	English abstract	
BZ	WO-00/50007		08-31-2000	LIPOCINE, INC.		

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. \* CITE NO.: Those application(s) which are marked with an single asterisk (\*) next to the Cite No. are not supplied (under 37 CFR 1.98(a)(2)(iii)) because that application was filed after June 30, 2003 or is available in the IFW. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

<b>NON PATENT LITERATURE DOCUMENTS</b>						
Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.				T <sup>2</sup>
*	CA	Ulmanns Encyklopädie der technischen Chemie, Autoren- und Sachregister, pp. 245-246.				✓
*	CB	Prof. Dr. Jürgen Falbe, et al., "Rompp Chemie Lexikon," p.3168.				
*	CC	Encyclopedia of Chemical Technology, Third Edition, pp. 835-836.				
*	CD	Kurt H. Bauer, et al., "Lehrbuch der Pharmazeutischen Technologie," p. 464, 1999.				
*	CE	Dr. Ursula Schöffling, Trier, "Ein Lehrbuch der Galenik Für Theorie und Praxis," p. 459, 1998.				
*	CF	B. Halliwell and J. M.C. Gutteridge, "Free Radicals in Biology and Medicine," Third Edition, p. 925.				
*	CG	Klare S. Markley, "Fatty Acids: Their Chemistry, Properties, Production, and Uses," Second Completely Revised and Augmented Edition, Part 1, p. 703, 1960.				
*	CH	Klare S. Markley, "Fatty Acids: Their Chemistry, Properties, Production, and Uses," Second Completely Revised and Augmented Edition, Part 2, pp. 1473-1474, 1961.				
*	CI	Dr. Hermann Pardun, "Die Pflanzenlecithine: Gewinnung, Eigenschaften, Verarbeitung und Anwendung pflanzlicher Phosphatidpräparate," Verlag für chemische Industrie H. Ziolkowsky KG, Augsburg, p. 552, 1988.				
*	CJ	Gregory Gregoriadis, "Drug Carriers in Biology and Medicine," Academic Press, p. 361-361, 1979.				
*	CK	Gregor Cevc, "Phospholipids Handbook," Marcel Dekker, Inc., p. 878, 1993.				
*	CL	"The detection of oxidation in liposome preparations," <i>Biochim. Biophys. Acta</i> , 210, pp. 486-489, 1970.				
*	CM	Dov Lichtenberg, "Liposomes: Preparation, Characterization, and Preservation," <i>Methods of Biochemical Analysis</i> , Vol. 33, pp. 337, 359-360..				

Examiner Signature		Date Considered
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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/B/PTO				<b><i>Complete if Known</i></b>	
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<b>NON PATENT LITERATURE DOCUMENTS</b>				
Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.		T <sup>2</sup>
*	CN	Dr. Ernst Mutschler, "Arzneimittel-wirkungen: Lehrbuch der pharmakologie und Toxikologie," 1991.		✓
*	CO	Dr. Rainer H. Muller, et al., "Pharmazeutische Technologie: Moderne Arzneiformen," 1998.		✓
*	CP	Phospholipids in Cosmetics and Pharmaceuticals, Rhone-Poulenc Rorer, Nattermann Phospholipid GMBH, p. 9/51, April 1997.		
*	CQ	H. Sucker, et al., "Pharmazeutische Technologie," pp. 644-649, 1978.		✓
*	CR	H. Sucker, et al., "Pharmazeutische Technologie," pp. 288, 293-300, 1978.		✓
*	CS	H. Sucker, et al., "Pharmazeutische Technologie," pp. 312-315, 1978.		✓
*	CT	H. Sucker, et al., "Pharmazeutische Technologie," pp. 315-320, 1978.		✓

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.

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